



# United States Courts for the Ninth Circuit

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## NEWS RELEASE

January 31, 2024

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## **Senate Confirms AUSA Kirk E. Sherriff for Federal Judgeship in Eastern District of California**

SAN FRANCISCO – The United States Senate today voted 54-45 to confirm President Joseph R. Biden Jr.’s, nomination of Assistant U.S. Attorney Kirk E. Sherriff to serve as a U.S. district judge for the U.S. District Court for the Eastern District of California.

“We are delighted by Kirk Sherriff’s confirmation, and the Senate’s prompt consideration—less than 3 months from the time Judge de Alba assumed her seat on the Circuit court,” said Chief U.S. District Judge Kimberly J. Mueller of the Eastern District of California. “It is clear, Mr. Sherriff is a public servant at heart. He brings to the court a deep knowledge of the expansive area served by our Fresno courthouse, given his 20-plus years as a federal prosecutor in the Fresno U.S. Attorney’s Office. His prior public service as a law clerk and teacher, along with his early work as a civil lawyer in a prestigious law firm, round out his resume such that he is fully prepared to join our bench and provide dedicated and distinguished service now as a jurist,” Chief Judge Mueller noted.

Sherriff was nominated for the judgeship on Nov. 15, 2023, and had his nomination hearing before the Senate Judiciary Committee on Nov. 29, 2023. His nomination was pending and thus was returned to the president when the First Session of the 118th Congress adjourned on Jan. 3, 2024. President Biden renominated Sherriff on January 8, and his nomination was reported to the Senate Floor on January 18. He will fill a judgeship vacant since Nov. 15, 2023, when District Judge Ana de Alba was appointed to the U.S. Court of Appeals for the Ninth Circuit. Upon taking his oath, Sherriff will join U.S. District Judge Jennifer L. Thurston as one of the two Article III judges in Fresno.

As of the end of December 2023, the average combined civil and criminal caseload for a Fresno U.S. district judge is 1,064, among the highest in the nation, according to Clerk of Court Keith Holland. The caseload Sherriff’s predecessor carried now has 791 pending civil cases and 207 criminal cases, with 313 criminal defendants. Given Sherriff’s tenure in the U.S. Attorney’s Office, the court will work to reassign criminal cases to other judges as needed for a period of time to address conflicts of interest, Holland explained.

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Page 2 of 2

Sherriff has been chief of the Fresno office of the U.S. Attorney's Office for the Eastern District of California since 2015. Previously, he served as chief of the White Collar Crime Unit, 2013-2015. He joined the office as an assistant U.S. attorney in the Civil Division in 2002 before moving in 2007 to the Criminal Division, where he has served since.

Born in Berkeley, California, Sherriff earned his Bachelor of Arts, cum laude, from Columbia College, Columbia University, in 1990. Before law school, he worked as a high school teacher in public schools in Mississippi and as an assistant teacher in France. He received his Juris Doctor, cum laude, in 1995 from Harvard Law School, where he was co-editor in chief of the Harvard Human Rights Journal, 1994-1995. After law school, he clerked for the Honorable Deborah T. Poritz of the New Jersey Supreme Court from 1996 to 1997. He was an associate at White & Case LLP from 1995 to 1996 and from 1997 to 2001.

Sherriff has been a board member of the Federal Bar Association, San Joaquin Valley Chapter, since 2018 and served as its vice president and president in 2020 and 2021, respectively. He served on committees of the U.S. District Court for the Eastern District of California, including the Judicial Advisory Committee, 2021; the COVID Jury Trial Committee, 2020-2021; and was chair of the court's Standing Merit Selection Panel, 2020 and 2017.

Sherriff received the Gaston L. Gianni, Jr. Better Government Award, 2013, from the Council of the Inspectors General on Integrity and Efficiency, among other recognitions.

The U.S. District Court for the Eastern District of California had 4,905 new case filings in calendar year 2023. The court is authorized six judgeships.

Appointed under Article III of the U.S. Constitution, federal district court judges are nominated by the president, confirmed by the Senate and serve lifetime appointments upon good behavior.

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